



NOTICE OF REGULAR PLANNING AND ZONING COMMISSION MEETING

In accordance with Section 38-431.01 of the Arizona Revised Statutes of the State of Arizona, notice is hereby given to the Members of the Planning and Zoning Commission and to the general public that the Planning and Zoning Commission of the City of San Luis, Arizona will hold a Regular Planning & Zoning Commission Meeting at 7:00 p.m., Tuesday, September 12, 2017. The meeting will take place at the City Council Chambers, located at 1090 E. Union Street, San Luis, Arizona, 85349. Everyone from the public is invited to attend the open meeting.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of San Luis does not discriminate on the basis of disability in the admission of or access to, or treatment of employment in its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities or services contact: ADA/Section 504 Coordinator, City of San Luis Human Resources Department, 1090 East Union Street, San Luis, Arizona 85349; (928) 341-8520.

Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recordings. Parents in order to exercise their rights may either file written consent with the City Clerk to such recordings, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.

THIS NOTICE IS GIVEN BY:

/s/ Roman Pacheco, Planning Technician

AVISO DE JUNTA REGULAR DE LA COMISIÓN DE PLANEACIÓN Y ZONAMIENTO

De acuerdo a la Sección 38-431.01 de los Estatutos Revisados del Estado de Arizona, se les informa a los Miembros de la Comisión de Planeación y Zonamiento y al público en general que la Comisión de Planeación y Zonamiento de San Luis, Arizona, tendrán una junta regular a las 7:00 p.m., el día Martes, 12 de Septiembre del 2017. La junta se llevará a cabo en la Cámara del Consejo de la ciudad, ubicado en el 1090 East Union Street, San Luis, Arizona, 85349. El público esta cordialmente invitado.

De acuerdo con el Acta de Americanos con Discapacidades y la Sección 504 del Acta de Rehabilitación de 1973, la Ciudad de San Luis no discrimina por causa de discapacidad la admisión y acceso a sus programas, actividades, servicios o en el trato en cuanto a empleo. Para más información referente a derechos y provisiones del Acta de Americanos con Discapacidades o Sección 504, o para solicitar adaptaciones que sean razonables para la participación en programas, actividades o servicios de la ciudad, contactar a: Coordinador del Acta de Americanos con Discapacidades/Sección 504, Departamento de Recursos Humanos de la Ciudad de San Luis, 1090 Este Calle Unión, San Luis, Arizona, 85349; (928) 341-8520.

Por medio de éste aviso y de acuerdo con los Estatutos Revisados del Estado de Arizona, sujeto a ciertas excepciones reglamentarias, los padres de familia tienen el derecho de dar o no dar el consentimiento ante el Estado o alguna subdivisión política grabe a un menor de edad, ya sea en audio o video. Las juntas del Concilio se graban en audio y/o video y como resultado, el hecho de que haya menores presentes puede ser sujeto a que sean grabados. Para que los padres de familia puedan ejercer sus derechos pueden solicitar por escrito a la Secretaria de la Ciudad dicha grabación, o tomar acción personal para asegurarse que su hijo/hija menor no esté presente cuando la grabación se lleve a cabo. Si un menor de edad está presente en el momento de la grabación, la Ciudad asumirá que los padres de familia están cediendo los derechos sobre una posible grabación de acuerdo con el Estatuto Revisado del Estado de Arizona §1-602.A.9.

ESTE AVISO ES DADO POR:

/f/ Roman Pacheco, Técnico en Planeación



AGENDA
Planning & Zoning Commission
Regular Meeting
San Luis Council Chambers
1090 E. Union Street
San Luis, AZ 85349
Tuesday, September 12, 2017
7:00 P.M.

MEMBERS OF THE SAN LUIS PLANNING & ZONING COMMISSION WILL ATTEND EITHER IN PERSON, TELEPHONE, OR VIDEO CONFERENCE COMMUNICATION.

1. CALL TO ORDER/ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA

All matters are considered to be routine by the Planning & Zoning Commission and will be enacted by one motion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

3. A. Approval of Minutes-

Regular Planning and Zoning Commission meeting held August 8, 2017

4. PUBLIC HEARINGS – the Planning & Zoning Commission will be considering a vote or action on the following cases. Any vote or action will be considered separately for each case.

4. A. Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2017-0546. A request by Riedel Holdings LLC, on behalf of Border Ranches, LLC, owner, to rezone approximately 33 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6). The property is located on the northwest corner of County 24th Street and 20th Avenue in San Luis, Arizona.

A. Open public hearing

1. Staff presentation

2. Call to the Public on this item

B. Close public hearing

C. Action on Rezoning Case No. 2017-0546

5. CALL TO THE PUBLIC - This is the time for the public to comment. Members of the Commission may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to Arizona Revised Statute §38-431.01(G), action taken as a result of comment will be limited to directing staff to study the matter, or scheduling the matter for further discussion and decision at a future date. All Planning & Zoning Commission meetings are recorded.

6. ADJOURNMENT



PLANNING & ZONING AGENDA ITEM REVIEW FORM

Planning & Zoning Commission Meeting

3.A.

Meeting Date: 09/12/2017

Submitted By: Jose A. Guzman, Acting Director of Planning & Zoning, Planning & Zoning Department

ITEM:

Approval of Minutes-

Regular Planning and Zoning Commission meeting held August 8, 2017

SUMMARY:

RECOMMENDED MOTION:

Attachments

Minutes August 8, 2017

MINUTES

REGULAR MEETING
PLANNING AND ZONING COMMISSION
SAN LUIS COUNCIL CHAMBERS
1090 E. UNION STREET
AUGUST 8, 2017
7:00 PM

1. CALL TO THE ORDER /ROL CALL: The meeting was called to order at approximately 7:00 PM., by Chairman Bill Cordova.

2. PLEDGE OF ALLEGIANCE: Pledge of Allegiance was led by Commissioner Jose A. Ponce.

PRESENT:

Chairman Bill Cordova
Vice Chairman Javier Barraza
Commission Member Hugo Garcia
Commission Member Guillermina Fuentes
Commission Member Jose A. Ponce

ABSENT:

Commission Member Marco A. Pinzon
Commission Member Daniel Bazua

OTHER PRESENT: Jose A. Guzman, Acting Planning and Zoning Director
Roman Pacheco, Planning Technician
Kay Macuil, City Attorney
Ray Urias, Attorney
Rich Bauermann, Fire Department
Arely Cardenas, Resident

3. CONSENT AGENDA:

3. A. MINUTES OF

- [Regular Planning & Zoning Commission Meeting held June 13, 2017](#)
- [Regular Planning & Zoning Commission Meeting held July 11, 2017](#)

MOTION: **Jose A. Ponce / Hugo Garcia** to APPROVE the Consent Agenda as presented. Motion passed unanimously (5-0).

4. PUBLIC HEARINGS

4. A. Public hearing followed by discussion and possible action on any and all matters regarding Conditional Use Permit No. 2017-0432. A request by Arely Cardenas on behalf of Robert Bruce and Ivone Jackson, property owners, for a conditional use permit to allow outdoor sales and displays on property located at 588 N. Main Street, San Luis, Arizona. ([Item Continued from July 11, 2017 Commission meeting](#))

[A. Open Public Hearing](#)

MOTION: **Javier Barraza / Jose A. Ponce** to open public hearing. Motion passed unanimously (5-0).

Jose A. Guzman, Acting Planning and Zoning Director, summarized staff report recommending DENIAL of Conditional Use Permit Case No. 2017-0432.

Viridiana Monreal, Representative of Gomart, 588 N. Main Street, stated that what they are requesting is a Conditional Use Permit to allow outdoor sales. Our display products will not cause any health problems to our customers. We will be putting about 10 -15 % display products. Our sales has been decreasing and this the reason why we need to put our items outside on an area of 5 ft. X 14 ft. And due to the new downtown improvements it has impacted our businesses, which include the store and parking lot business. We have less customers and our sales have decreased.

Commissioner Guillermina Fuentes asked Ms. Cardenas on the site plan where it shows the entrance. Is the entrance as shown in the site plan is that outside of the store and are those the 5 feet. Ms. Cardenas responded yes that is where I indicated where we want to have our merchandise. Fuentes asked what about the glass area where the mannequins are. **Commissioner Barraza** asked where the property line is. **Guzman** responded the property line is as stated by Ms. Fuentes, where the mannequin are, they are already in the property line.

Furthermore Cardenas, stated that usually our products that we want to put outside is clothing and electronics like rechargeable speakers where we would not need to connect to an electrical outlet.

Fuentes asked if the ordinance allows outdoor displays like on holiday or special occasion that is something I understood on the last meeting. Guzman responded no what the ordinance states is that they have to comply with the criteria but because this is a conditional use the commission can recommend to approve certain days but this will be City Council decision. City staff recommendation is based on the comments of the Fire Department such as safety, general plan, and zoning regulations.

Commission Member Jose A. Ponce stated are you aware of all the department that are not in favor with this project.

Cardenas stated that she was not present at the previous meeting but they informed her that some of the members of the Commission were indecisive. If the commission wishes to ask me or let me know what their concern are I be more than happy to answer them.

Ponce stated that he was referring to the comments received from the Fire Department and Building Safety. The Commission recommendation also is based on the safety concerns from these departments

Furthermore Ms. Cardenas stated that the day when the fire department went to do an inspections I explained to them how we wanted to set up out there.

Furthermore Guzman stated that he wanted to point out that all those businesses that have the wall all the way the property line are non-conforming uses. Right now the ordinance requires a 15 ft. front setback. So if they were to re-build or remodel they would have to go 15 feet inside of the business. Also, the Community Development Division is currently working on a redevelopment plan for the downtown area, so we are probably going to have new regulations applying to just that area. We are in the process of starting working on the redevelopment plan and probably something that we are going to talked about is having zero (0) setbacks on the front.

B. Close Public Hearing

MOTION: **Jose A. Ponce / Hugo Garcia** to close public hearing. Motion passed unanimously (5-0).

C. Action

MOTION: **Jose A. Ponce / Javier Barraza** to move forward Conditional Use Permit Case No. 2017-0432 to the City Council with recommendation of DENIAL. Motion passed unanimously (5-0).

4. B. Public hearing followed by discussion and possible action on any and all matters regarding Text Amendment Case No. 2017-0457. A request by the City of San Luis for a text amendment to the San Luis City Code, Chapter 152 Zoning Regulations, by adding the definition and regulations regarding personal dog kennels. (Item continued from July 11, 2017 Commission meeting)

A. Open Public Hearing

MOTION: **Bill Cordova / Guillermina Fuentes** to open public hearing. Motion passed unanimously (5-0).

Jose A. Guzman, Acting Planning and Zoning Director, summarized staff report recommending APPROVAL of Text Amendment Case No. 2017-0457.

There were no public comments.

Guillermina Fuentes asked is the definition on the ordinance. **Guzman** responded that proposed ordinance is attached to the report. There was an issue with the over population of dogs. There was this resident that had over 14 dogs.

B. Close Public Hearing

MOTION: **Jose A. Ponce / Javier Barraza** to close public hearing. Motion passed unanimously (5-0).

C. Action

MOTION: **Jose A. Ponce / Javier Barraza** to forward Text Amendment Case No. 2017-0457 to the City Council with recommendation of APPROVAL. Motion passed unanimously (5-0).

6. CALL TO THE PUBLIC

There were no public comments

7. ADJOURNMENT

MOTION: **Javier Barraza / Hugo Garcia** to adjourn the Regular Planning & Zoning Meeting at approximately 7:40 p.m. Motion passed unanimously.



PLANNING & ZONING AGENDA ITEM REVIEW FORM

Planning & Zoning Commission Meeting

4.A.

Meeting Date: 09/12/2017

Submitted By: Jose A. Guzman, Acting Director of Planning & Zoning, Planning & Zoning Department

ITEM:

Public hearing followed by discussion and possible action on any and all matters regarding Rezoning Case No. 2017-0546. A request by Riedel Holdings LLC, on behalf of Border Ranches, LLC, owner, to rezone approximately 33 acres from Medium-High Density Residential (R-2) to Medium Density Residential (R1-6). The property is located on the northwest corner of County 24th Street and 20th Avenue in San Luis, Arizona.

- A. Open public hearing
 - 1. Staff presentation
 - 2. Call to the Public on this item
- B. Close public hearing
- C. Action on Rezoning Case No. 2017-0546

BACKGROUND:

The subject property is located in the east mesa of the City of San Luis; west side of 20th Avenue between Aracely Street and County 24th Street. The properties to the north and west are zoned Medium Density Residential (R1-6) and two new subdivisions are under construction, Bienestar 9A Phase 2 to the north and Santa Cecilia (1) Subdivision to the west. The south and east properties adjacent to the project are undeveloped land and zoned as Medium-High Density Residential (R-2).

As an effort to alleviate the demand for bigger houses the City Council approved Ordinance No. 347, an ordinance to set up the minimum lot size to 6,000 square feet. After this ordinance was adopted single detached dwellings are no longer allowed in Medium-High Density Residential (R-2) zoning district.

The purpose of the zone change is to allow a future residential subdivision to be called Santa Cecilia 2. This subdivision will consist of 167 lots and one tract for storm water retention.

The reason for the rezoning request is that the property is zoned as Medium-High Density (R-2) which, as previously mentioned, does not allow construction of single detached dwellings. The appropriate zoning for the construction of the proposed subdivision is the requested, Medium Density Residential (R1-6).

CITIZEN REVIEW MEETING:

As required by State Statute and the City Code, a Citizen Review meeting was held on September 5, 2017 at City Hall Council Chambers at 6:00 p.m. The intent of this meeting was to allow the public to learn about the project, ask questions and express any comments. There were no people from the public present.

AGENCY REVIEW:

As part of the review process, all land use cases are reviewed by various City and outside agencies.

As required by State Statute, staff sent notification letters to property owners within 300 feet of the proposed project (19 letters). The City has not received any significant concerns or objections from the various review agencies or adjacent property owners.

GENERAL PLAN:

The current General Plan designation for this parcel is Neighborhood which is appropriate for the R1-6. The intent of Neighborhood land designation is to focus on the primary living areas (Residential Zoning District) in the community.

SUMMARY:

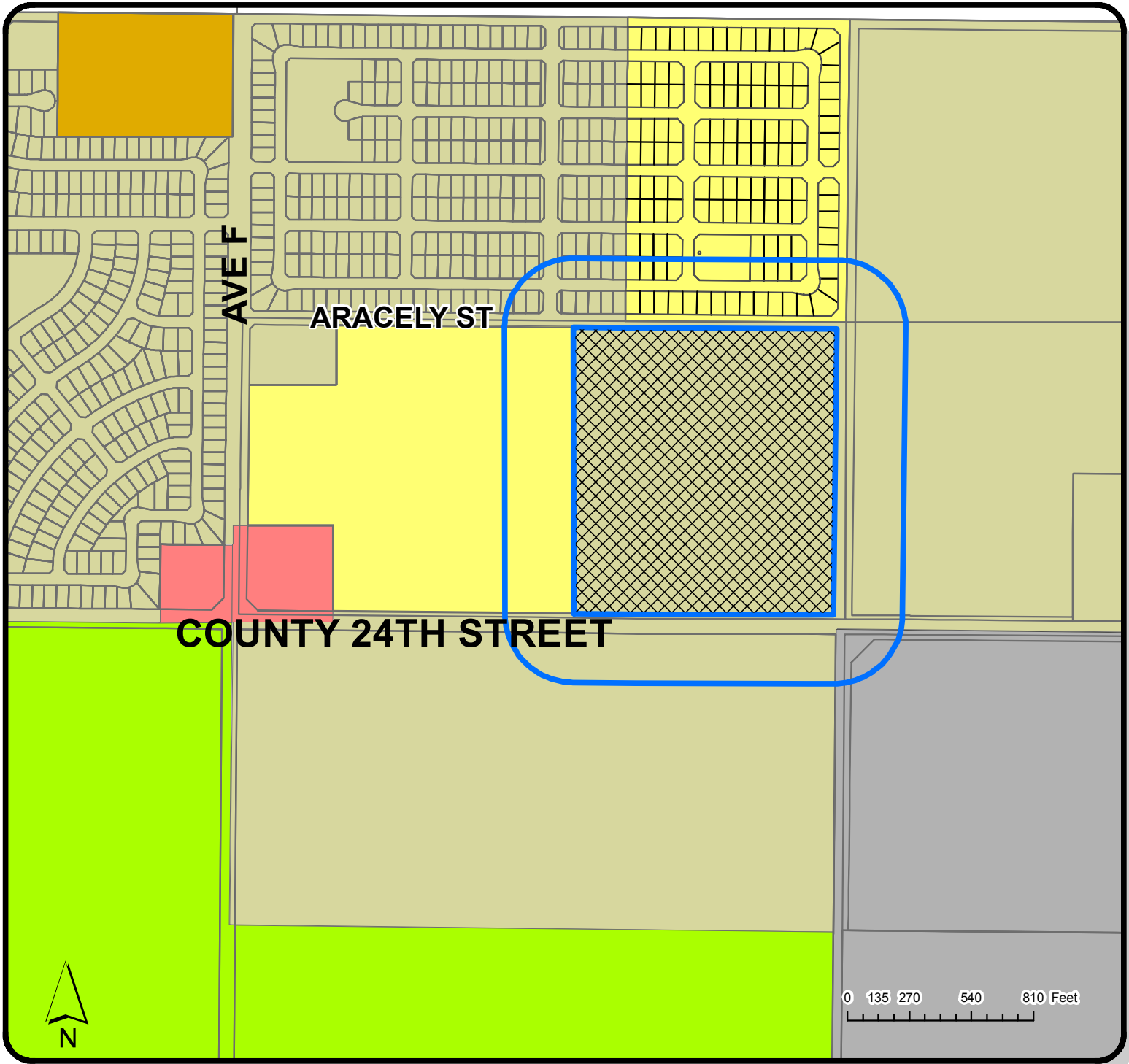
Staff recommends approval of Rezoning Case No. 2017-0546.

RECOMMENDED MOTION:

I MOVE TO FORWARD REZONING CASE NO. 2017-0546 TO THE CITY COUNCIL WITH THE RECOMMENDATION OF APPROVAL AS PRESENTED BY STAFF.

Attachments


Location Map
Santa Cecilia Master Plan
Picture of Location



LOCATION OF SUBJECT PROPERTY

Location Map

REZONING
REZONE FROM R-2 to R1-6

 Santa Cecilia Subdivision Parcel: 227-10-012
 Section: 10 Township: 11S Range: 24W BEG AT SW COR TH
 ELY 1447.50 FT ALONG S SEC LINE TH NLY 50 FT TO T0 POB
 TH NLY 1290.42 FT TH ELY 1153.93 FT ALONG S R/W LINE TH
 SLY 1240.41 FT TH WLY 1154.13 ALONG N R/W LINE TO POB
 AKA LOT 1C PER BORDER RANCHES LOT

- MULTIPLE RESIDENCE ZONING DISTRICTS
 - R-2
 - R-3
- INDUSTRIAL ZONING DISTRICTS
 - I-1
- COMMERCIAL ZONING DISTRICTS
 - C-2
- SINGLE RESIDENCE ZONING DISTRICTS
 - RA-10

Date:
8/10/2017



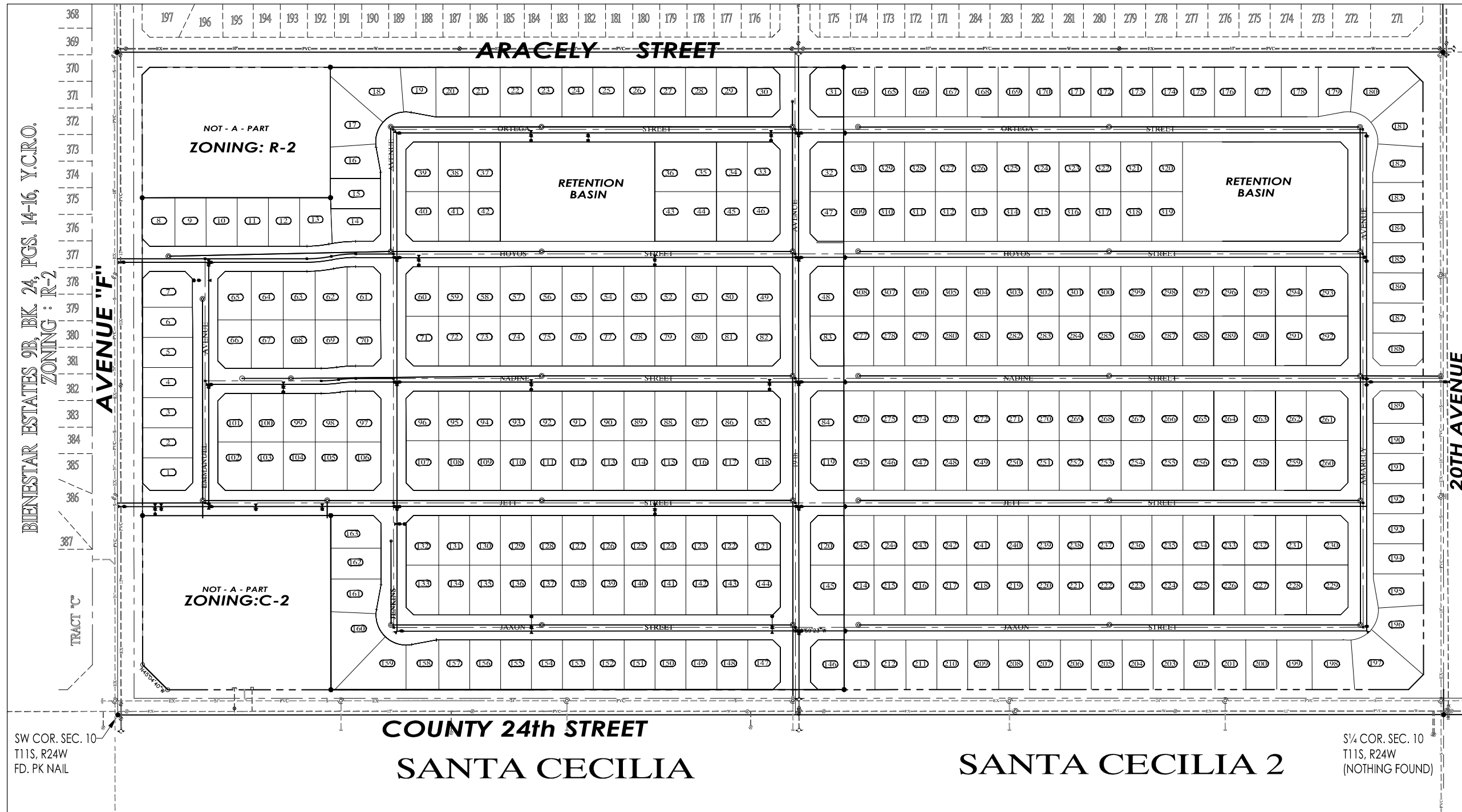
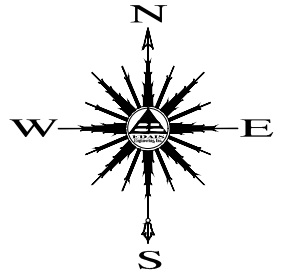
Prepared By:
IG

Case No.
2017-0546

Checked By:
ROMAN PACHECO

APPROVED BY:
JOSE A. GUZMAN

SANTA CECILIA MASTER PLAN



BIENESTAR ESTATES 9B, BK. 24, PGS. 14-16, Y.C.R.O.
ZONING: R-2

AVENUE "F"

20TH AVENUE

SW COR. SEC. 10
T11S, R24W
FD. PK NAIL

COUNTY 24th STREET
SANTA CECILIA

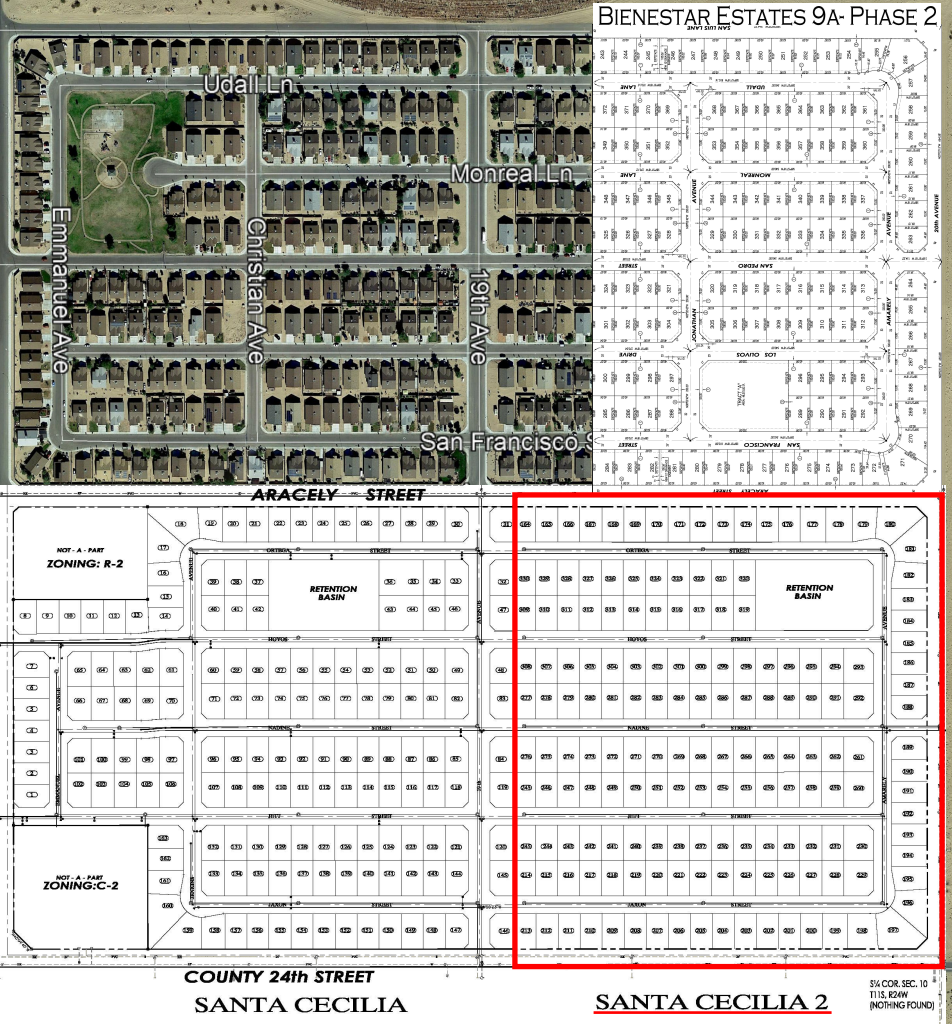
SANTA CECILIA 2

1/4 COR. SEC. 10
T11S, R24W
(NOTHING FOUND)

Rezoning Case No. 2017-0546

Santa Cecilia Subdivision Phase 2

Legend



Google Earth

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2000 ft